



BARRINGTON PLANNING BOARD MEETING

NEW LOCATION: EARLY CHILDHOOD LEARNING CENTER
77 RAMSDELL LANE
Barrington, NH 03825

(Approved April 17, 2018)
Tuesday April 3, 2018
6:30 p.m.

NOTE: THESE ARE SUMMARY ACTION MINUTES ONLY. A COMPLETE COPY OF THE MEETING AUDIO IS AVAILABLE AT THE LAND USE DEPARTMENT.

MEETING MINUTES

Members Present

James Jennison, Chair
Jeff Brann, Vice Chair
Steve Diamond
Donna Massucci

Alternate Member: Andy Knapp-ex-officio

Town Planner: Marcia Gasses

MINUTES REVIEW AND APPROVAL

1. Approval of the March 20, 2018 meeting minutes.

The minutes were approved without objection.

ACTION ITEMS

2. **236-24-GR-17-Sub (3) (Owners: Lysle J. & Kim Evans Brown)** Request by applicant James E. Connick to subdivide into three lots of 1.84 acre each with waivers at 20 Orchard Hill Road Map 236, Lot 24) in the General Residential (GR) Zoning District. By: Joel D. Runnals, LLS, Norway Plains Associates, LLS; PO Box 249; Rochester, NH 03866.

J. Jennison gave a brief description of the application.

Joel Runnals from Norway Plains Associates, Inc. explained that he was representing applicant James Connick for a 3 lot subdivision who has a purchase and sales agreement on the property of Lysle J. & Kim Evans Brown. He explained that Mr. Connick was working with the Town representatives on the road and subdivision. He explained that this was one lot and the Town went to court to confirm Orchard Hill was a Town Road. He explained the applicant went before the selectmen for a 50' ROW and compromised a 35' ROW. He explained that the applicant also went before the Zoning Board of Adjustment for a Special Exception which was granted on February 21, 2018 to allow proposed Map 236, Lot 24-2 to take access from a side not its frontage via a shared 30' driveway easement. He explained that test pits have been done. He explained that all 3 lots are equal in size of 80,000 s.f. He explained that they are applying to the State for subdivision approval.

S. Diamond asked what the dash mark on the plan in the upper right hand corner on the plan.

Joel explained that it was a stream.

J. Brann asked if the applicant received Zoning Board of Adjustment approval.

Joel explained that the applicant received approval on February 21, 2018 for Special Exception.

J. Brann asked about 5.3.2 (11) Utilities in the Subdivision Regulations when you submit a plan you need to show the proposed utilities.

Joel explained that there was no proposed utilities; there were only overhead wires.

M. Gasses explained that the pole was shown on the topographic plan.

J. Brann asked if there are no proposed utilities.

Joel explained not until the lot is developed.

J. Jennison asked if the applicant needed to go back to the Zoning Board of Adjustment for a driveway easement.

Joel explained that the applicant didn't need to go back because of the Special Exception for the access.

S. Diamond asked when did the applicant plans to build the shared driveway. He asked if it would be built once the lot was sold.

Jim Connick explained that the driveway would be built once they start building.

S. Diamond questioned that the applicant would need to sell the lot in the middle before they sold the blue lot.

Jim Connick explained that he felt it didn't matter what lot was sold first. It would still show that the easement was on the lot.

S. Diamond asked if they would just drive though the lot.

Jim Connick explained that it was all woods.

S. Diamond asked if they had the right to cut down trees. He asked if the person buying the blue lot would have to pay for the shared driveway.

Jim Connick explained that he would be building the houses, selling them complete, and explained that the driveway would already be in.

J. Brann questioned as part of the application should all 5 sections of the checklist be filled out.

M. Gasses explained that she reviewed Section 3 of the checklist and that Sections 4 and 5 were non-applicable.

S. Diamond questioned the triangle shape of the lots.

Joel explained that anywhere there was a corner with a triangle you would have that problem.

J. Brann explained that in the Subdivision Regulations it states the maximum extent possible all new lots shall be rectangular.

S. Diamond asked what would be the problem be if the lots were more rectangular.

Joel explained that each lot was exactly 80,000 s.f. and that he tried to keep a straight line.

J. Brann asked if the house at 17 Orchard Hill Road was gone.

Joel stated that was not part of the subdivision.

M. Gasses explained that the house needs to be torn down before permits can be issued for the 2 new lots.

Joel explained that they would need to meet with the Selectmen to accept the road after this was approved.

J. Brann questioned if this was a shared driveway not a private road.

M. Gasses explained that this would need to meet the setback requirements.

Requested Waivers:

1. **5.3.1 (8)** The estimated location and use of all existing structures...on the site and within 100' of the site.

M. Gasses read:

Reason: the applicants request is to show only those structures that are on the subject parcel and not trespass.

A motion was made by J. Brann and seconded by S. Diamond to grant the waiver for the 5.3.1 (8) on the application of James Connick not granting the waiver would pose an unnecessary hardship to the applicant and granting the waiver would not be contrary to the spirit and intent of the regulations. The motion carried unanimously.

2. **11.2.2 (3)** No portion of a lot under these regulations shall be less than 75 feet in width...

A motion was made by J. Brann and seconded by D. Massacci to grant the waiver for the 11.2.2 (3) specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations. The motion carried unanimously.

A motion was made by J. Brann and seconded by A. Knapp to accept the application as complete. The motion carried unanimously.

M. Gasses read Staff and Town Planner comments:

Suzanne McNeil, Assessing – Responded no comments

Peter Cook, Road Agent – Has no issues with the application and believes it will be a benefit to the Town to be able to do work on the road with the proposed right of way for the Town.

Conservation Commission – Responded no comment

John Huckins, Building Inspector/ZA – Plan does not show if Lots 24-1 and 24-2 meet zoning 4.2.1(1) 60, 000 sq. ft. free of hydric A soils, open water, bogs, marshes... A note needs to be added

Rick Walker, Fire Chief – Add note to the plan that, “if more than two building lots share the common driveway the driveway must be named and all lots would have an address number off the newly created street.

Marcia Gasses, Town Planner –

- Draft driveway easement language needs to be provided
- Define easement by meets and bounds
- Show front setback off the driveway easement
- Label House on Map 236 Lot 7 that is in the proposed right of way that was approved by the Board on February 6, 2018 “to be removed”
- The house in the right of way (Map 236 Lot 7) must be removed prior to building permits being issued for lots 24-1 and 24-2

S. Diamond asked about the comment from John Huckins about free of Hydric A soils.

Joel explained that there were not Hydric A soils present.

M. Gasses explained that a wetlands scientist stated that fact.

J. Brann asked if there was going to be a note on the plan.

M. Gasses stated that there would be to meet the requirements.

S. Diamond asked about the test pits.

Joel explained that they are shown on the topographic plan.

J. Jennison opened public comment.

J. Jennison closed public comment.

S. Diamond asked when and why did it become so routine for applicants to apply for so many waivers special exceptions and variances.

M. Gasses read Conditions Precedent:



Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0195

barrplan@metrocast.net

barrplan@gmail.com

DRAFT NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i> n/a	<i>Surety returned</i> n/a
<i>"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.</i>			
Proposal Identification: 236-24-GR-17-Sub(3) (Owners: Lysle J. & Kim Evans Brown) Request by applicant James E. Connick to subdivide into three lots of 1.84 acres each with waivers at 20 Orchard Hill Road (Map 236, Lot 24) in the General Residential (GR) Zoning District. By: Joel D. Runnals, LLS, Norway Plains Associates, LLS; PO Box 249; Rochester, NH 03866			

Owner: Lysle and Kim Evans Brown 17 Orchard Hill Road Barrington, NH 03825 Applicant (Contact): James E. Connick 324 Den Quarry Road Lynn, MA 01904 Professional: Joel D. Runnals, LLS, Norway Plains Associates PO Box 249 Rochester, NH 03866	Dated: XXXXX/2018
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Dear applicant:

This is to inform you that the Barrington Planning Board at its XXXXX, 2018 meeting **CONDITIONALLY APPROVED** your application referenced above.

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Board. Certification of the plans is required prior to commencement of any site work or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please Note* If all of the precedent conditions are not met within 6 calendar months to the day, by XXXXXX, 2018, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board. *Reference 8.2.3 of the Town of Barrington Subdivision Regulations*

Conditions Precedent

- 1)
 - a) Add the owners signature to the final plan
 - b) Add the wetland scientist stamp & signature to the final plan
 - c) Add State Subdivision Approval Number to the Plan
- 2) Add the following plan revisions to the plans
 - a) Define the driveway easement area by metes and bounds
 - b) Label the house on Map 236 Lot 7 that is in the proposed right of way "to be removed"
 - c) Show the setback from the driveway easement
- 3) Add the following plan notes:
 - a) The house in the right of way (Map 236 Lot 7) must be removed prior to building permits being issued for lots 24-1 and 24-2
 - b) The following waivers were granted as part of this application:
5.3.1(8) The estimated location and use of all existing structures...on the site and within 100' of the site. *If granted*
11.2.2(3) No portion of a lot under these regulations shall be less than 75 feet in width...
- 4) Town Counsel shall approve proposed driveway easement language
- 5)# Proper and complete survey monumentation shall be installed on the properties as a condition to final approval of the application. Granite bounds shall be set at the intersection of existing or proposed lot sidelines with existing proposed streets. Iron pins (pipe or rod) are to be placed at all property line corners and angles, and all points of curvature and points of tangency. Monuments for the lot being developed shall be placed not more than 300 feet apart in any straight line. The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the submitted plan. (*Reference 8.8 of the Town of Barrington Subdivision Regulations*)
- 6) Any outstanding fees shall be paid to the Town

- 7) Final Drawings (a) five sets of black line (b) plus one set of 11"X17" final approved plans (c) one electronic version by pdf must be on file with the Town. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans. Note. If there are significant changes to be made to the plans, as specified above, one full size check print must be sent to the Land Use Office for review prior to producing these final drawings.

General and Subsequent Conditions

#1

(Note: in both sections above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).

I wish you the best of luck with your project. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Marcia J. Gasses

Town Planner & Land Use Administrator

cc: File

A motion was made by J. Brann and seconded by J. Jennison to approve the 3 lot subdivision with the conditions as read by the Planner. Approved; Vote 4/1

Yay-D. Massucci

Yay-A. Knapp

Yay-J. Brann

Yay-J. Jennison

Nay-S. Diamond

3. [232-17-NR/HCO-18-Sub \(2\) \(Owner: Gordon W. Brown\)](#) Request by applicant to subdivide 54.2 acre lot into 2 parcels and waivers. Proposed (Map 232, Lot 17) to be subdivided into two lots with lot 1 being 4.54 acre and remaining lot will be 49.7 acres and waivers at 1216 Franklin Pierce Highway in the General Residential (GR) and Highway Commercial Overlay (HCO) Zoning Districts. By: David W. Vincent, LLS; Land Surveying Services; PO Box 1622; Dover, NH 03821.

J. Jennison gave a brief description of the application.

David Vincent from Land Surveying Services represented the applicant Gordon Brown for a 2 lot subdivision which would be a residential lot. He explained that he had revised plans based on comments from NHDOT. He explained that the applicant would like to take 4.54 acres off the 54.2 acres leaving the remaining land with the house with a driveway. He explained test pits were done on the proposed lot and shown on the plan. He explained that there was an existing well and septic on the large lot with the house. He explained that they would be keeping the rock wall and there would be 50' from the wetlands. He explained that this would need a State permit for the driveway. The State wanted shown clear sight lines for the proposed driveway and would want 400' sight distance from Route 126.

J. Brann questioned the location of the proposed leach field compared to the driveway.